

JOHN J. FARMER, JR.
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street - 5th Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Dentistry

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 7-19-01 cm

CERTIFIED TRUE COPY

By: Rhonda Pope Stephens
Deputy Attorney General
(973) 693-5056

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :

Administrative Action

Robert Napolliello, D.D.S. :
License No. 15639 :

CONSENT ORDER

TO PRACTICE DENTISTRY :
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Dentistry (hereinafter "the Board") upon receipt of a patient complaint that the treatment rendered to patient S.Y.^W_{6/26/01}^{PRV} by Robert Napolliello, D.D.S., ("respondent") failed to conform to the standard of care for dental practice in the State of New Jersey. Specifically, it has been alleged that respondent failed to provide adequate dental care by failing to complete the treatment plan, provide permanent, fixed bridgework and provide dental crowns for teeth #'s 7-11. Further, it has been alleged that respondent submitted an insurance claim for a crown preparation on tooth #15 which was not performed.

On January 19, 2000, respondent appeared with counsel, Stephen G. Patrella, Esq., at an investigative inquiry into the matter held by the Board.

Having reviewed the entire record, including testimony of respondent at the investigative inquiry, it appears to the Board that respondent's treatment of S.Y. ^{W 6/26/01} ~~X~~ ^{RW} deviated from the standard care in areas of treatment planning. In addition, respondent has failed to maintain adequate patient and billing records.

These facts establish basis for disciplinary action pursuant to N.J.S.A. 45:1-21(e), (h), N.J.A.C. 13:30-8.7(a)3,4,5 and N.J.A.C. 13:30-8.10.

It appearing that respondent desires to resolve this matter without admissions and without recourse to formal proceedings and for good cause shown:

IT IS ON THIS ^{8th} DAY OF *July*, 2001.

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the amount of \$1,500.00 for conduct with respect to the submission of an insurance claim for treatment not performed. Payment of the civil penalties of \$1,500.00 shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Kevin Earle, Executive Director, Board of Dentistry, P.O. Box 45005, Sixth Floor, 124 Halsey Street, Newark, New Jersey 07101 no later than thirty (30) days from the entry of this Consent Order. Subsequent violations

will subject respondent to enhanced penalties pursuant to N.J.S.A.
45:1-25.

2. Respondent is hereby assessed the costs of the investigation to the State in this matter in the amount of \$205.42. Payment for the costs shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board no later than thirty (30) days from entry of this Consent Order. Payment shall be sent to Kevin Earle, Executive Director at the address described in paragraph #1.

3. Respondent shall make restitution to S.Y.D. in the amount of \$1,500.00. A certified check or money order made payable to S.Y.D. shall be sent within thirty (30) days of entry of this Consent Order to Kevin Earle, Executive Director, at the address described in paragraph #1.

4. Failure to remit any payment as required by this Order will result in the filing a Certificate of Debt.

5. Failure to comply with any terms of this Consent Order may result in further disciplinary action.

NEW JERSEY STATE BOARD OF DENTISTRY

By: Barbara Ann Rich, DDS
Barbara Rich, D.D.S.
President

Robert Napoliello
Robert Napoliello, D.D.S.

I consent to the form
of ~~this~~ Consent Order

Date _____